

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

EMERSON CREEK POTTERY INC.)

Plaintiff,)

v.)

COUNTRYVIEW POTTERY CO.,)
EMERSON CREEK EVENTS, INC.,)
CHRISTINA DEMIDUK, and)
DAVID DEMIDUK)

Defendants.)

Case No.: 6:20-CV-0054-NKM

**Special Interrogatories: Infringement, Unfair Competition,
and False Designation of Origin**

Question set 1

Do you find by a preponderance of the evidence that the use of EMERSON CREEK, EMERSON CREEK POTTERY, EMERSON CREEK POTTERY & TEAROOM, and/or EMERSON CREEK EVENTS by Defendants in association with their gift shop services is/are likely to cause confusion with Plaintiff's trademarks?

Answer yes or no. _____

If you answered yes, do you find that Plaintiff acquiesced to such use?

Answer yes or no. _____

Question set 2

Do you find by a preponderance of the evidence that the use of EMERSON CREEK, EMERSON CREEK POTTERY, EMERSON CREEK POTTERY & TEAROOM, and/or EMERSON CREEK EVENTS by Defendants in association with their restaurant services is/are likely to cause confusion with Plaintiff's trademarks?

Answer yes or no. _____

If you answered yes, do you find that Plaintiff acquiesced to such use?

Answer yes or no. _____

Question set 3

Do you find by a preponderance of the evidence that the use of EMERSON CREEK, EMERSON CREEK POTTERY, EMERSON CREEK POTTERY & TEAROOM, and/or EMERSON CREEK EVENTS by Defendants in association with their events services is/are likely to cause confusion with Plaintiff's trademarks?

Answer yes or no. _____

If you answered yes, do you find that Plaintiff acquiesced to such use?

Answer yes or no. _____

Date

Signature of Foreperson

Printed Name of Foreperson